

return subsequently denied this to be the fact ; Mr. Abraham pointed out to them that the Assembly had no right to legislate about the lands, if still Native, and that it was monstrous to legislate about private contracts especially without notice, and he intimated that he would contest the matter in the Supreme Court when the time arrived.

Mr. Stafford and Mr. Whitaker in consequence assured Mr. Abraham that the Act should be reconsidered.

The Ministers instead of repealing the Act (1856) passed the Amended Act (1858) without any notice to Mr. Abraham.

(It has always appeared to Mr. Abraham that they had determined only to acquire land on the south bank of the Waitara, and as they knew he could do nothing until lands on the North bank were acquired, they resolved simply to give such an increased measure of compensation as would satisfy the claimants on the south bank, or their agents then in the Colony.)

Now Mr. Richmond would have the public believe that the legislation on this subject was in no way influenced or connected with the desire (to put it no higher) of the Taranaki settlers to acquire the Waitara or the subsequent acquisition of land there, and that the statesmen who originated the measure had not an eye to that locality. Well ! can Mr. Richmond explain what public exigency required the passing (of) the Acts ? The claimants had been compensated for their past non-possession and if they chose to wait until doomsday for the acquisition of the sections, it could not prejudice anybody save themselves.

Why was the passing the Act (1856) made a Ministerial question as between themselves and the Governor ?

Why did they disregard the remonstrance of the Governor ?

Was the fact of the Governor's disapproval of the Act of 1856 withheld from the knowledge of the House when the Act of 1858 was introduced ?

Had not the Act (1858) passed the second reading, and gone through Committee before the other Act (1856) had been left to its operation, (in fact gazetted). See *Gazette*, June 1858.

Mr. Abraham believes the Act (1856) recites that there are only 25,000 acres of land at Taranaki remaining undisposed of, and recent events have been justified on the ground that the settlers at Taranaki had no lands for their increasing flocks and herds,—the lands on hand being forest and worthless.

If so, how does Mr. Richmond justify taking away the choice 50 acre sections at Waitara from the original claimants, and obliging them to re-select with or without compensation (scanty measure of justice !) from the same worthless 25,000 acres ?

Will Mr. Richmond also state where the town was to be proclaimed (if not at Waitara) in which one acre would be equal to fifty acres at Waitara ?

When Mr. Abraham returned to New Zealand in January, 1859, and found the Scrip Act (1858) passed, he again saw the Governor on the subject, who expressed his sympathy most cordially, and again designated the Act as a *confiscation* of the rights of the claimants, and he stated that he had reserved the Act for the Royal Assent.

Mr. Abraham again remonstrated with the Ministry, who simply joked and talked about public expediency, &c., and value of Government townships as compared with those of private individuals, &c. Mr. Abraham distinctly told them he would litigate the matter and endeavour to stop the Bill becoming Law.

Mr. Sewell had then returned, and Mr. Abraham explained and discussed his position with him. He denied being the chief mover of the Act of 1858 and blamed Richmond ; he said he thought the Home Government would not interfere, as it was not a claim involving loss of money, and promised to assist on any future occasion.

Mr. Abraham drew up a long Memorial to the Governor against the Act (of) 1858, which he handed to him personally before leaving Auckland (about May 1859) and he also gave a copy to Mr. Sewell, the prayer of this Memorial was as follows :—

“ Your Memorialist therefore prays that in case the said Land Order and Scrip Act shall receive the Royal Assent your Excellency will be pleased to delay the Proclamation of such Assent until after the meeting of the General Assembly so as to afford the Assembly the opportunity of again reviewing their legislation on the subject, and to that end that your Excellency will be pleased to cause a copy of this Memorial to be laid before the Assembly, or adopt such other course in reference thereto as to your Excellency may seem fit, and that in case your Excellency feels bound in point of form to proclaim the said Act immediately on the receipt of the Royal Assent then that your Excellency will be pleased in the event of any of Memorialists land being acquired at New Plymouth to withhold such land from the Provincial Authorities and to cause the same to be granted to your Memorialist, in due performance of his contract, as acknowledged, confirmed, and partially acted upon as aforesaid, or that at all events no part thereof may be allowed to be dealt with until Memorialist has the opportunity afforded him of submitting his right and the legality of the proceedings complained of for the decision of the Supreme Court of the Colony, or that your Excellency will be pleased to adopt such other measures as shall seem to you advisable for the purpose of protecting the just rights of Memorialist, and your, &c., &c.”

The Governor officially acknowledged the receipt of this Memorial, and stated he had handed it to his Responsible Ministry ; the latter did not acknowledge the receipt until very long after.

Will Mr. Richmond explain why the fact of the Memorial having been received was not brought before the House of Assembly during the last session of the old House ?